

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT COURT 4 MAITAMA ABUJA ON THE 25TH DAY OF
NOVEMBER, 2021
BEFORE HIS LORDSHIP, HON. JUSTICE U. P. KEKEMEKE
SUIT NO.FCT/HC/CR/907/2020

COURT CLERK: JOSEPH ISHAKU BALAMI & ORS.

BETWEEN:

INSPECTOR GENERAL OF POLICE.....COMPLAINANT

AND

MOSES ANYAOHA.....DEFENDANT

RULING

The Applicant's application is for an Order setting aside its earlier Order made on the 6/10/21 revoking the bail of the Defendant/Applicant.

2. An Order readmitting the Defendant /Applicant to bail.

He deposed that he was not attempting to jump bail.

That he was to quickly travel to United States to see his extended family and return back before the next date of adjournment.

That Applicant bought a return ticket.

The Applicant is aged and hypertensive.

The Prosecution deposes that the Applicant was leaving the country in order to evade trial.

That the deposit of an expired Passport instead of a valid one shows that Applicant has no credibility and is capable of deceiving this Court.

I have also considered the Written Addresses of Counsel.

He who comes to equity must come with clean hands.

The hands of the Defendant/Applicant are not clean by his act of depositing an expired Passport in the stead of a valid one.

Equity abhors double portions. The Defendant abused the discretionary power of the Court in granting him bail.

I agree with the Prosecution that the Applicant's application does not deserve a sympathetic consideration.

The application therefore fails and it is dismissed.

Case is adjourned to 23/02/22 for continuation of hearing.

.....
HON. JUSTICE U.P. KEKEMEKE

(HON. JUDGE).

25/11/21.

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Defendant present.

E.A. Amadi for the Prosecution.

Pereboh Sanami with Uche Ibiam, Chris Uche and Gideon Haruna for the Defendant/Applicant.

Signed.

Hon. Judge.

25/11/21